CACAS (Rev. 1/94) Subpoena in a Civil Case

SOUTHERN	_ DISTRICT OF	OHIO	
ROBERT FERRELL		SUBPOENA	IN A CIVIL CASE
V.			
LAKOTA SCHOOL DISTRICT		Case Number	C-1-02-190
TO: Kelly Meade, Transportation Tylersville Road, West Chest	-	ta Local S	chool District, 5050
YOU ARE COMMANDED to appear in the testify in the above case.	e United States Distric	t court at the pl	lace, date, and time specified below to
PLACE OF TESTIMONY			COURTROOM
United States District Court			324 708
100 E. 5th Street			DATE AND TIME
Cincinnati, Ohio 45202			November 18, 2004 @ 10:00a
YOU ARE COMMANDED to appear at the in the above case.	e place, date, and time	specified below	to testify at the taking of a deposition
PLACE OF DEPOSITION			DATE AND TIME
YOU ARE COMMANDED to produce and place, date, and time pecified below (list d		copying of the	following documents or objects at the
PLACE	<u> </u>	<u>, , , , , , , , , , , , , , , , , , , </u>	DATE AND TIME
YOU ARE COMMANDED to permit insp	ection of the following	premises at the	e date and time specified below.
PREMISES		· · · · · · · · · · · · · · · · · · ·	DATE AND TIME
Any organization not a party to this suit that is directors, or managing agents, or other persons wh the matters on which the person will testify. Feder ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE	o consent to testify on it al Rules of Civil Proced	s behalf, and maure, 30(b)(6).	sy set forth, for each person designated,
ISSUING OFFICER'S NAME PRESS AND PROME NUM	puty Clerk		11/9/04
Marcia CArter, 513-5	1 103. Cma 1 103. Cma	: Harris	OH 45202

¹ If action is pending in district other than district of issuance, state district under case number.

			1111×1.	
Case 1:02-cv-(00190-TSB C	ocument 54	Filed 11/15/2004	Page 2 of 10
188				
	· ·	PROOF OF SE	RVICE	
	DATE	5,04 PLA	CE LAKOTA TR	AND PORTATION
SERVED KELLY	MEADE		PERSON AL	
SERVED ON (PRINT NAME)			MANNER OF SERVICE	
RICHAR	40 1. Hu/	echan (K	AHDENEY	
SERVED BY (PRINT NAME)			TITLE	
	DE	CLARATION O	F SERVEA	
I declare under penalty of in the Proof of Service is true		ws of the United S	states of America that the fo	oregoing information contained
Executed on	15,2004		Luter (Hu	lis
	DATE		SIGNATURE OF SERVER	. cr
			ADDRESS OF SERVER) 3(~
ě			HAMILTON,	OH 45011
•			<u></u>	

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PRO ECTION OF PERSO - SUBJECT TO SUBPOENAS.

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

(2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.

(B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to command the production. Such an order to comply production shall protect any persion is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.

(3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it

(i) fails to allow reasonable time for compliance,

(ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, suoject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be comn, m > 1 we ravel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

 (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting

from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

ROBERT FERRELL V. LAKOTA SCHOOL DISTRICT TO: Yvette Ferrell, 7751 Germantown Pike, G	SUBPOENA IN A CIVIL CASE Case Number: C-1-02-190 Germantown, Ohio 45327 es District court at the place, date, and time specified below to
	Germantown, Ohio 45327
TO: Yvette Ferrell, 7751 Germantown Pike, G	
	es District court at the place, date, and time specified below to
YOU ARE COMMANDED to appear in the United State testify in the above case.	
PLACE OF TESTIMONY	COURTROOM
United States District Court	324 708
100 E. 5th Street	DATE AND TIME
Cincinnati, Ohio 45202	November 18, 2004 @ 10:00a
YOU ARE COMMANDED to appear at the place, date, a in the above case.	and time specified below to testify at the taking of a deposition
PLACE OF DEPOSITION	DATE AND TIME
place, date, and time specified below (list documents or o	objects):
PLACE :	DATE AND TIME
YOU ARE COMMANDED to permit inspection of the fo	following premises at the date and time specified below.
PREMISES	DATE AND TIME
Any organization not a party to this suit that is subpoenaed for directors, or managing agents, or other persons who consent to ten the matters on which the person will testify. Federal Rules of Civil	or the taking of a deposition shall designate one or more officers, estify on its behalf, and may set forth, for each person designated, vil Procedure, 30(b)(6).
ISSUING OFFICER'S SIGNATURE AND TITLE (INDICATE IF ATTORNEY F	FOR PLAINTIFF OR DEFENDANT) DATE
Marin Chater Leasty Cle	W/19111
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER 7500	
100 E. FRATH St. Koom 103. (See Rule 43, Federal Rules of Civil	Cincinnali OH 45202

¹ If action is pending in district other than district of issuance, state district under case number.

Case 1:02-cv-00190-TSB Document 5	54 Filed 11/15/2004 Page 4 of 10
	1. Company
PROOF OF	SERVICE
DATE Nov 13, 2004	PLACE 7751 GERMANTOWN PIKE, GERMANTOWN
SERVED YVETTE FERREL	PCRSINAL MANNER OF SERVICE
SERVED ON (PRINT NAME)	MANNER OF SERVICE
RICHARD L. HURCHANIK SERVED BY (PRINT NAME)	ATTORNEY
SERVED BY (PRINT NAME)	TITLÉ
DECLARATIO	N OF SERVER
I declare under penalty of perjury under the laws of the Unit in the Proof of Service is true and correct.	ted States of America that the foregoing information contained
Executed on Now 13 Zooy	SIGNATURE OF SERVER
	110 N. THIRD ST.
	HAMILTON, OHIO 45011
Rule 45, Federal Rules of Civil Procedure, Parts C & D:	
(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.	
(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person white to that subpoena. The court is helpful for taking the subpoena was issued shall	trial be commanded to travel from any such place within the state in which the trial is held, or (iii) requires disclosure of privileged or other protected matter and no

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court imbehalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (11) subjects a person to undue burden.

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When the station subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

ASD88 (Rev. 1/94) Subpoena in a Civil Case

SOUTHERN	DISTRICT OF	OHIO
ROBERT FERRELL V.	SUBPOE	NA IN A CIVIL CASE
LAKOTA SCHOOL DISTRICT	Case Num	nber: ¹ C-1-02-190
TO: Jeff Robertson, Operations Co Tylersville Road, West Cheste		1 School District, 5050
YOU ARE COMMANDED to appear in the testify in the above case.	United States District court at th	ne place, date, and time specified below to
PLACE OF TESTIMONY		COURTROOM
United States District Court		324 708
100 E. 5th Street		DATE AND TIME
Cincinnati, Ohio 45202		November 18, 2004 @ 10:00a
YOU ARE COMMANDED to produce and place, date, and time specified below (list do		the following documents or objects at the
PLACE		DATE AND TIME
YOU ARE COMMANDED to permit inspec	ction of the following premises a	at the date and time specified below.
PREMISES		DATE AND TIME
Any organization not a party to this suit that is suit directors, or managing agents, or other persons who the matters on which the person will testify. Federa	consent to testify on its behalf, and	d may set forth, for each person designated,).
ISSUING OFFICER'S NAME, ADDRESS AND PHONE NUMBER OF STATES OF STAT	#-7500 103 Chama	4 OH 45202

¹ If action is pending in district other than district of issuance, state district under case number.

Case 1:02-cv-00190-TSB D	ocument 54	Filed 11/15/2004	Page 6 of 10
	PROOF OF SERV	ICE	· · · · · · · · · · · · · · · · · · ·
DATE No	11,04 PLACE	LAKOTA TRA	INSPORTATION
SERVED JEFF ROBERTSU	\mathcal{N}	PERSUNAL	
SERVED ON (PRINT NAME)	MA	NNER OF SERVICE	
RICHARD L. HURCHA	NIK	ATTORNE	Υ
SERVED BY (PRINT NAME)	ТТТ	LE	
DF	CLARATION OF S	FRVFR	
I declare under penalty of perjury under the law in the Proof of Service is true and correct.	ws of the United State	es of America that the fo	regoing information contained
Executed on 11 MA 04		Verl (Han	ely 1
DATE	SIG	NATURE OF SERVER	
		DRESS OF SERVER	S7-
	· -		4 45011

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

(B) If a subpoena

(i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or

(ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting

from the expert's study made not at the request of any party, or

(iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably one would be a possible to the person to whom the subpoena is addressed will be reasonably one would be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed will be reasonably one of the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is addressed with the person to whom the subpoena is a

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

NAO88 (Rev. 1/94) Subpoena in a Civil Case

SOUTHERN	DISTRICT OF	ОНТО
ROBERT FERRELL V.	su	BPOENA IN A CIVIL CASE
LAKOTA SCHOOL DISTRICT	Ca	se Number:1 C-1-02-190
TO: Jim LeGates, Substitute Tylersville Road, West C	Bus Drive for Lakota Lo hester, Ohio 45069	cal School District, 5050
YOU ARE COMMANDED to appet testify in the above case.	ar in the United States District co	ourt at the place, date, and time specified below to
PLACE OF TESTIMONY		COURTROOM
United States District Cour	t	324 708
100 E. 5th Street		DATE AND TIME
Cincinnati, Ohio 45202		November 18, 2004 @ 10:00am
in the above case.	ar at the place, date, and time spec	cified below to testify at the taking of a deposition
PLACE OF DEPOSITION		DATE AND TIME
place, date, and time specified below		bying of the following documents or objects at the
PLACE		DATE AND TIME
YOU ARE COMMANDED to perm	nit inspection of the following pre	mises at the date and time specified below.
PREMISES		DATE AND TIME
Any organization not a party to this suit directors, or managing agents, or other pers the matters on which the person will testify	sons who consent to testify on its be	f a deposition shall designate one or more officers, shalf, and may set forth, for each person designated, 30(b)(6).
ISSUING OFFICER'S SIGNATURE AND TITLE (IN	IDICATE IF ATTORNEY FOR PLAINTIFF	OR DEFENDANT) DATE
ISSUING OFFICER'S NAME, ADDRESS AND PHO NOVCLA COTTO (513)	NE NUMBER 7500	1. 010 11====
100 C. +1777 ST. 1	Koom 103 CINC	ELLECT HE I FOUNT

¹ If action is pending in district other than district of issuance, state district under case number.

Rule 45, Federal Rules of Civil Procedure, Parts C & D:

(c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS.

- (1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a person subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.
- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and copying may, within 14 days after service of subpoena or before the time specifies for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection; to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c) (3) (B) (iii) of this rule, such a person may in order to attend

trial be commanded to travel from any such place within the state in which the trial is held, or

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden.

HAMIUNIN AHIO

(B) If a subpoena

- (i) requires disclosure of a trade secret or other confidential research, development, or commercial information, or
- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may, to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the analysis or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

- (1) A person responding to a subpoena to produce documents shall produce them as they are kept in the usual course of business or shall organize and label them to correspond with the categories in the demand.
- (2) When information subject to a subpoena is withheld on a claim that it is privileged or subject to protection as trial preparation materials, the claim shall be made expressly and shall be supported by a description of the nature of the documents, communications, or things not produced that is sufficient to enable the demanding party to contest the claim.

AO88 (Rev. 1/94) Subpoena in a Civil Case

Issued by the

LINUTED STATES DISTRICT COURT POLICE DATE

SOUTHERN	DISTRICT OF	OHIO	
ROBERT FERRELL		BPOENA IN A CIVIL CASE	
V.	301	OF OEMA IN A CIVIL CASE	
LAKOTA SCHOOL DISTRICT			
	Case	e Number: C-1-02-190	
TO: Lydia Combs, Bus Driver for Tylersville Road, West Cho		l District, 5050	
YOU ARE COMMANDED to appear in testify in the above case.	the United States District cou	art at the place, date, and time speci	fied below to
PLACE OF TESTIMONY	<u></u>	COURTROOM	
United States District Court		324 708	
100 E. 5th Street		DATE AND TIME	
Cincinnati, Ohio 45202		November 18,	2004 @ 10:00am
YOU ARE COMMANDED to appear at in the above case.	the place, date, and time spec-	fied below to testify at the taking o	f a deposition
PLACE OF DEPOSITION		DATE AND TIME	
YOU ARE COMMANDED to produce place, date, and time specified below (list			objects at the
PLACE		DATE AND TIME	
YOU ARE COMMANDED to permit in	spection of the following pren	nises at the date and time specified	below.
PREMISES		DATE AND TIME	
Any organization not a party to this suit that directors, or managing agents, or other persons the matters on which the person will testify. Fe	who consent to testify on its bel	nalf, and may set forth, for each perso	nore officers, on designated,
ISSUING OFFICER'S SIGNATURE AND TITLE (INDIC	ATE IF ATTORNEY FOR PLAINTIFF	OR DEFENDANT) DATE	Ч
ISSUING OFFICER'S NAME, ADDRESS AND PHONE N Warch (513)	*UMBER -7500		
100 E. Fifth St., Ra	50 103 CWCWV 45, Federal Rules of Civil Procedure, Parts C &	CH ON A520	2

¹ If action is pending in district other than district of issuance, state district under case number.

Case 1:02-cv-00190-TSB Document AC)88 (Rev. 1/94) Subpoena in a Civil Case	54 Filed 11/15/2004 Page 10 of 10
	F SERVICE
DATE 11 NW OY	PLACE LAKUTA BUS GARAGE
SERVED LYDIA COMBS	PERSONA C. MANNER OF SERVICE
ERVED ON (PRINT NAME)	MANNER OF SERVICE
RICHARD L. HURCHANK	ATTORNE
ERVED BY (PRINT NAME)	TITLE
,	
DECLARATIO	ON OF SERVER
I declare under penalty of perjury under the laws of the Unn the Proof of Service is true and correct. Executed on	Littled States of America that the foregoing information contains
DATE	SIGNATURE OF SERVER
	110 W. THIRD STREET ADDRESS CF SERVER HAMILTON, OHO 47011
Rule 45, Federal Rules of Civil Procedure, Parts C & D:	.
c) PROTECTION OF PERSONS SUBJECT TO SUBPOENAS. (1) A party or an attorney responsible for the issuance and service of a subpoena	trial be commanded to travel from any such place within the state in which the is held, or

(1) A party or an attorney responsible for the issuance and service of a subpoena shall take reasonable steps to avoid imposing undue burden or expense on a penson subject to that subpoena. The court on behalf of which the subpoena was issued shall enforce this duty and impose upon the party or attorney in breach of this duty an appropriate sanction which may include, but is not limited to, lost earnings and reasonable attorney's fee.

- (2) (A) A person commanded to produce and permit inspection and copying of designated books, papers, documents or tangible things, or inspection of premises need not appear in person at the place of production or inspection unless commanded to appear for deposition, hearing or trial.
- (B) Subject to paragraph (d) (2) of this rule, a person commanded to produce and permit inspection and cripying may, within 14 days after service of subpoena or before the time specified for compliance if such time is less than 14 days after service, serve upon the party or attorney designated in the subpoena written objection to inspection or copying of any or all of the designated materials or of the premises. If objection is made, the party serving the subpoena shall not be entitled to inspect and copy materials or inspect the premises except pursuant to an order of the court by which the subpoena was issued. If objection has been made, the party serving the subpoena may, upon notice to the person commanded to produce, move at any time for an order to compel the production. Such an order to comply production shall protect any person who is not a party or an officer of a party from significant expense resulting from the inspection and copying commanded.
- (3) (A) On timely motion, the court by which a subpoena was issued shall quash or modify the subpoena if it
 - (i) fails to allow reasonable time for compliance,
- (ii) requires a person who is not a party or an officer of a party to travel to a place more than 100 miles from the place where that person resides, is employed or regularly transacts business in person, except that, subject to the provisions of clause (c)(3)(B)(iii) of this rule, such a person may in order to attend

- (iii) requires disclosure of privileged or other protected matter and no exception or waiver applies, or
 - (iv) subjects a person to undue burden

(B) If a subpoena

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- (ii) requires disclosure of an unretained expert's opinion or information not describing specific events or occurrences in dispute and resulting from the expert's study made not at the request of any party, or
- (iii) requires a person who is not a party or an officer of a party to incur substantial expense to travel more than 100 miles to attend trial, the court may to protect a person subject to or affected by the subpoena, quash or modify the subpoena, or, if the party in who behalf the subpoena is issued shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship and assures that the person to whom the subpoena is addressed will be reasonably compensated, the court may order appearance or production only upon specified conditions.

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